

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Philip Tsichlis, M. Leighton Grimes and Patrick A. Zwerster-McKey

Provisional Application or Patent No.: Not yet Assigned

Filed or Issued: Concurrently Herewith

For: NUCLEIC ACID ENCODING RECOMBINANT PROMOTER SEQUENCES AND METHOD OF USE THEREOF

**VERIFIED STATEMENT (DECLARATION) SUPPORTING ANOTHER'S CLAIM FOR  
SMALL ENTITY STATUS (37 CFR §1.81(f) AND §1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am making this verified statement to support a claim by the above-identified applicant or patentee for small entity status for purposes of paying reduced fees with regard to the above-identified invention described in

- ☒ the specification filed herewith  
☐ U.S. Application No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

FULL NAME OF ORGANIZATION:

FOX CHASE CANCER CENTER

ADDRESS OF ORGANIZATION:

7701 Burholme Avenue  
Philadelphia, PA 19111

TYPE OF ORGANIZATION

- ☒ University or other institution of Higher education  
☐ Tax exempt under U.S. Internal Revenue Code (26 USC §501(c) and  
☐ Nonprofit scientific or educational under statute of state of U.S.A.  
Name of State: \_\_\_\_\_  
Citation of Statute: \_\_\_\_\_  
☐ Would qualify as tax exempt under U.S. IRC if located in U.S.A.  
☐ Would qualify as nonprofit scientific or education under statute of  
state of U.S.A. if located in U.S.A.  
Name of State: \_\_\_\_\_  
Citation of Statute: \_\_\_\_\_

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR §1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code to the above-identified invention.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization known to have rights to the invention is listed below\* and the organization knows of no rights to the invention being held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR §1.9(c) if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR §1.8(d) or by a nonprofit organization under 37 CFR §1.9(e).

FULL NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention availing to their status as small entities. (37 CFR §1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Patricia Hersche

Title in Organization: Vice President, Business Development and Regulatory Affairs

Address: 7701 Burholme Avenue, Philadelphia, PA 19111

Signature: *Patricia Hersche* Date: 6/17/96